

## REMARKS

### Introduction

Upon entry of the foregoing response, claims 1, 2, 4, 7-8, 10, 19-23, 25-31, 33, 34, and 43-46 are pending in the application. Claims 3, 13-16, 35-39, 41 and 42 have been canceled without prejudice and without waiver of subject matter recited therein. Claims 1, 4, 7, 10, 16, 19, 21, 27, 29 and 43 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all pending claims are requested.

A telephone interview was held with the Examiner on February 3, 2009 to generally discuss the rejections of the claims, including specific proposed amendments to independent claim 7 directed to a "time sensitivity of data" feature which, the Examiner agreed, is not found in the cited references. The Examiner proposed additional language, indicated herein in quotations, such that for claim 7, the time sensitivity indicates the age of the data "that will be displayed after an option is selected."

Based on the discussion with the Examiner, independent claim 7, and the other pending independent claims (1, 19 and 27), have been amended herein to include the same "time sensitivity of data" feature and to include the Examiner's proposed language, cited above.

### Rejection under 35 USC §101

Claims 7, 8, 10, 13-16, 27-31, 33-39 and 41-42 have been rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter.

Claims 13-16, 35-39 and 41-42 have been canceled, so their rejection is moot.

Independent claims 7 and 27 have been amended to more clearly define the invention and to address and alleviate the Examiner's concerns. In view of the amendment of independent claims 7 and 27, Applicant respectfully submits that pending claims 7 and 27, and claims 8, 10, 28-31, 33 and 34 which depend from amended independent claim 7 or 27, are directed to statutory subject matter, and requests reconsideration and withdrawal of the rejection of these pending claims.

**Rejection under 35 USC §103**

Claims 1-2, 13-14, 19-20, 22, 25-28, 30, 33-36, 38 and 41-42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0107356 to Shamoon et al. (hereinafter "Shamoon"), U.S. Patent No. 6,593,944 to Nicolas (hereinafter "Nicolas") and further in view of U.S. Patent Publication No. 2003/0126014 to Oh (hereinafter "Oh"). Claims 3-4, 15-16, 21, 29, and 37 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shamoon, Nicolas, Oh and further in view of U.S. Patent Publication No. 2003/0204447 to Dalzell et al. (hereinafter "Dalzell"). Claim 7-8 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shamoon, Nicolas, and further in view of U.S. Patent Publication No. 2003/0204447 to Dalzell et al. (hereinafter "Dalzell"). Claims 23, 31 and 39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shamoon, Nicolas, Oh and further in view of U.S. Patent No. 6,701,350 to Mitchell (hereinafter "Mitchell"). Claims 43 and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shamoon, Nicolas, Oh and further in view of U.S. Patent No. 6,343,738 to Ogilvie (hereinafter "Ogilvie"). Claims 45 and 46 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shamoon, Nicolas, Oh and further in view of U.S. Patent No. 7,334,050 to Zondervan (hereinafter "Zondervan").

Claims 3, 13-16, 35-39, 41 and 42 have been canceled, so their rejection is moot.

As described above, as a result of the telephone interview with the Examiner on February 3, 2009, independent claim 7 was amended to further describe the "time sensitivity of data feature" which, as was agreed by the Examiner in the telephone interview, is not taught or suggested by the cited references used to reject claim 7.

Furthermore, independent claims 1, 19 and 27 have now been amended to include the same "time sensitivity of data feature" previously recited in independent claim 7, and to include the additional language suggested by the Examiner to overcome the cited references, as described above in the Introduction section of the Remarks.

Therefore, for at least the above reasons, neither Shamoon, Nicolas nor Dalzell (nor any of the other references cited in the latest Office Action), separately, or in combination, teaches or renders obvious all of the features currently recited in amended independent claims 1, 7, 19

and 27. Thus, independent claims 1, 7, 19 and 27 are patentably distinguishable over Shamoon, Nicolas and Dalzell, and accordingly it is respectfully requested that the rejection of these claims be withdrawn, and allowance of independent claims 1, 7, 19 and 27 is earnestly solicited.

Dependent Claims 2, 4, 8, 10, 20-23, 25, 26, 28-31, 33, 34, and 43-46

Regarding dependent claims 2, 4, 8, 10, 20-23, 25, 26, 28-31, 33, 34, and 43-46, since these claims depend from amended independent claim 1, 7, 19 or 27, they include all of the features of the respective amended independent claim from which they depend, as described above. For at least the reasons given above regarding independent claims 1, 7, 19 and 27, there is no teaching or suggestion in Shamoon, Nicolas or Dalzell, separately or in combination, of all of the features of these dependent claims.

Therefore, for at least these reasons, dependent claims 2, 4, 8, 10, 20-23, 25, 26, 28-31, 33, 34, and 43-46 are patentably distinguishable over Shamoon, Nicolas and Dalzell. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn, and allowance of claims 2, 4, 8, 10, 20-23, 25, 26, 28-31, 33, 34, and 43-46 is earnestly solicited.

**Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Serial No.: 10/042,047  
Docket No.: AUS920010709US1  
Reply to the Office Action of November 26, 2008

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time, as well as any other fee necessary to further the prosecution of this application, to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

DILLON & YUDELL, LLP

Dated: February 4, 2009  
8911 N. Capital of Texas Hwy, Suite 2110  
Austin, TX 78759  
Telephone: (512) 343-6116

By: /Joseph W. King/  
Joseph W. King  
Registration No. 35, 768